

**Chair Mary Nichols Reading Supervisor Fletcher Remarks**  
**At-Berth Regulations, California Air Resources Board**  
**December 5, 2019**

Dear Board Members,

Thank you for the opportunity to submit comments into the record today in absentia. I would like to provide some context on San Diego's unique perspective.

I am strongly in support of controlling pollution from ocean-going vessels while they are at berth. The air pollution associated with these vessels and transportation of goods severely impacts our portside environmental justice communities. In San Diego, our designated AB 617 community is adjacent to the Port of San Diego. Residents have some of the highest asthma rates within San Diego County and California.

While it is imperative that we reduce pollution, there are constraints that need to be addressed. San Diego has around 45% renewable energy penetration, which is to be commended. We also have some of the highest utility rates in the state. This limits the ability for the Port of San Diego to electrify - whether it's providing shorepower to ships at berth or transportation electrification. This should not be mischaracterized as an attempt to avoid regulation, rather an acknowledgement of the very real challenges faced by entities that are trying to do the right thing.

The Port of San Diego has petitioned for rate relief from the California Public Utilities Commission. My office supported this request, as did the California Air Resources Board. I thank you. A decision on this petition is currently pending.

As this regulation moves forward, I would ask that we consider the grid constraints, the costs and opportunities to electrify and provide appropriate compliance pathways.

I am also of the perspective that the vessel types complying with the existing regulatory scheme should maintain their regulatory status, which is governed by an increasing fleet average. Container vessels, reefer vessels, and passenger cruise vessels - are already on a compliance pathway measured by percentage of annual visits, averaged over the entire fleet. And, those that will be regulated under the new regime should adhere to the proposed standards for each individual vessel visit. I believe this bifurcated proposal respects the differences in types of ocean-going vessels while also provides a path to achieve the same benefits for both air quality and carbon emissions.

I look forward to engaging all stakeholders as this process moves forward.

Thank you.